

Making the Internet CALEA-compliant might backfire, making the internet much *less* secure: many of the technologies currently used to create wiretap-friendly computer networks make the people on those networks more pregnable to attackers who want to steal their data or personal information.

When broadband service providers are forced to make their networks or applications tappable, this introduces more points of vulnerability into the system. Users have to place blind trust in companies and services they may not realize they are signing up for.

The FCC's proposes to allow third parties to manage government surveillance requests: a private company would analyze all the data from a telecommunications carrier, extract information relevant to the court order, and send it to law enforcement.

Currently, several large corporations are already offering CALEA services that might result in a loss of privacy for consumers. For example, VeriSign offers a legal intercept service to ISPs, which requires the providers to pipe all their data to VeriSign. Then the company's employees analyze the data, extract information relevant to the court order, and send it to law enforcement. This transaction leaves personal data potentially vulnerable when it travels from the service provider's network to VeriSign's. It also places the personal data of innocent people in the hands of a third party without customer consent. If CALEA is applied to the Internet, it is likely that many more services like VeriSign's will spring up, introducing still more uncertainty into the system.

Since compliance with surveillance requests is a significant cost for carriers, telecommunications companies have acted as a check on government power, lobbying against excessive proposals. Now, private entities that profit from surveillance will have an incentive to lobby for more government surveillance powers.

Ultimately, all of these problems can be traced back to a single root cause: CALEA was drafted specifically to regulate phone networks, which are designed to be closed systems. The Internet is an open, global system that handles countless forms of data-transfer and accommodates an ever-changing array of smart edge-devices. If CALEA is misapplied to the Internet, the results will be disastrous. The privacy of innocent people is likely to be violated, innovation will certainly be stifled, and the current and future functionality of the Internet will be crippled.